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6 IN THE UNITED STATES DISTRICT COURT
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8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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10 RICHARD SLEZAK, No. C-05-3537 MMC
11 Plaintiff,
12 v. **ORDER DISMISSING PLAINTIFF'S
13 Defendants**
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15 By order filed January 12, 2006, the Court ordered plaintiff to serve defendants
16 Select Portfolio Servicing ("SPS") and TCIF with a summons and copy of the complaint no
17 later than February 10, 2006, and to file proof of service no later than February 17, 2006.
18 Additionally, the Court gave plaintiff notice that if he failed to serve defendants within the
19 time provided, the Court would dismiss plaintiff's claims against any non-served defendant
20 without prejudice.
21 To date, plaintiff has not filed proof of service on defendant TCIF.¹ Accordingly,
22 plaintiff's claims against TCIF are hereby DISMISSED without prejudice pursuant to Rule
23 4(m) of the Federal Rules of Civil Procedure.
24 **IT IS SO ORDERED.**
25 Dated: February 27, 2006
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MAXINE M. CHESNEY
United States District Judge

¹Additionally, plaintiff has not filed proof of service on SPS. SPS, however, has appeared by filing a motion to dismiss, in which SPS does not challenge the sufficiency of service. Consequently, it appears plaintiff has accomplished service on SPS.